

**BLAKELY  
SOKOLOFF  
TAYLOR &  
ZAFMAN**  
A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS

1279 OAKMEAD PARKWAY  
SUNNYVALE, CALIFORNIA 94085  
(408) 720-8300 (Telephone)  
(408) 720-8383 (Facsimile)

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### FACSIMILE TRANSMITTAL SHEET

**Deliver to:** Examiner Kenneth S. Kim, Art Unit 2111  
**Firm Name:** U.S. Patent & Trademark Office  
**Fax Number:** 703-746-7239  
**From:** John P. Ward **Operator:** Anne Collette  
**Date:** October 21, 2004  
**App. No.:** 10/028,859  
**No. of pages:** 15 (including cover sheet)  
**Client/Matter:** 42390P10920 **Docket Date:** 10/21/04 **Atty:** CTF

Dear Examiner:

Please find the following document(s) attached:

- 1) Transmittal Form (1 page)
- 2) Response to Office Action (13 pages)

Thank you.

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FORM

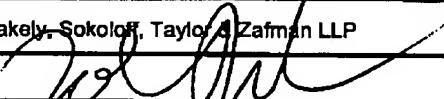
(to be used for all correspondence after initial filing)

|  |    |                        |                   |
|--|----|------------------------|-------------------|
|  |    | Application Number     | 10/028,859        |
|  |    | Filing Date            | December 19, 2001 |
|  |    | First Named Inventor   | John W. Mates     |
|  |    | Art Unit               | 2111              |
|  |    | Examiner Name          | Kenneth S. Kim    |
| Total Number of Pages in This Submission | 13 | Attorney Docket Number | 42390P10920       |

## ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
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| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
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| Remarks  |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Blakely, Sokoloff, Taylor & Zafman LLP  |          |        |
| Signature    |  |          |        |
| Printed name | John Patrick Ward   |          |        |
| Date         | October 21, 2004  | Reg. No. | 40,216 |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |      |                  |
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| Signature             |  |      |                  |
| Typed or printed name | Anne Collette   | Date | October 21, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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42390P10920

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John W. Mates )  
Examiner: Kim, Kenneth S.  
Serial No.: 10/028,859 )  
Art Unit: 2111  
Filing Date: December 19, 2001 )  
For: CELLULAR AUTOMATON )  
CACHE METHOD AND )  
APPARATUS )

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Dear Sir:

In response to the Office Action mailed July 21, 2004, please enter the following amendments and consider the following remarks.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.

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By: Anne Collette  
Anne Collette

Date: October 21, 2004